

**Minutes
Bar Harbor Planning Board
September 2, 2009
Council Chambers – Municipal Building
93 Cottage Street**

I. CALL TO ORDER — 6:00 p.m.

II. EXCUSED ABSENCES

There were none.

III. ADOPTION OF THE AGENDA

The Board debated switching the order of the applicants.

Ms Williams moved to adopt the agenda as written. Mr. Jardine seconded the motion and the Board voted unanimously to approve the motion.

IV. APPROVAL OF MINUTES

August 19th Minutes

Ms. Williams moved to approve the minutes from the August 19, 2009 meeting. Ms. Stevens-Rosa seconded the motion and the Board voted unanimously to approve the motion.

V. REGULAR BUSINESS

A. Continuation of a Public Hearing – SP-09-02 – West Street Hotel

Project Location: West Street, Bar Harbor Tax Map 104, Lots 113-118, 122, 123, 143, 144, 146, 147, 149

Applicant: North South Construction Inc.

Application: Hotel and Accessory Uses

The applicant reviewed a revised site plan which showed that half of the first floor adjacent to York Street had been eliminated. The applicant stated that they had added a total of 10 parking spaces in place of the building and that only 8 of these spaces actually added to the hotel's total. This was done to address stacking/queuing concerns on West Street from Lennox Place. The applicant also described improvements proposed for York Street. The applicant stated they have been in contact with neighboring property owners to discuss loading issues and the preservation of easement access. The applicant further commented that they have eliminated greenspace to preserve some of the neighboring owners parking. The applicant stated they would add 8 parking spaces to the total number available for the hotel use.

The applicant and the Board debated whether or not they needed to discuss height again. Mr. Jardine commented that parking is an important issue that he would like to see settled as soon as possible.

Mr. Jardine moved to continue the hearing to September 16, 2009 Planning Board Meeting. Ms. Williams seconded the motion and the Board voted unanimously to approve the motion.

B. Continuation of Completeness Review – SP-09-05 – Proposed Verizon Wireless Telecommunications Facility

Project Location: 854 State Highway 3 Bar Harbor Tax Map 202, Lot 061

Applicant: Verizon Wireless

Application: Construct a wireless telecommunications facility at 854 State Highway 3 (also known as the Sweet Pea Farm)

Mr. Scott Anderson, the applicant's legal representative, provided an overview of the Visual Impact Assessment. Mr. Anderson added that the Visual Impact Assessment seeks to capture the locations where the tower is most visible.

Mr. Cochary stated that he was concerned with the aesthetic appearance of the tree. He stated that a typical pine tree is not perfectly symmetrical and that the tower might look more believable as a tree if it were designed with greater variety in branch configuration and length.

Mr. Fredette, the applicant representative, stated that when fully co-located the tower would not look much different because the antennas would be blocked by the branches.

Mr. John Kelly, Planner for Acadia National Park, commented that applicant had agreed to capture views of the proposed tower from a boaters perspective on Northeast Creek. He stated the Park was disappointed that this view was not captured in the visual impact analysis. The Board, Mr. Kelly, and the applicant debated whether or not these views were absolutely necessary for the study. Mr. Anderson stated that due to weather conditions and time constraints they were unable to capture all views from Northeast Creek. He felt that they did capture the view of the Tower from a couple locations along the Creek and that due to the angle and location from which these photos were taken, he did not think the tower would be any more visible as one moved closer along Northeast Creek.

Mr. Kelly stated that a view of the proposed tower in a "leaf off" type situation would be beneficial. The applicant stated they had no way to simulate this scenario. Mr. Jardine added that he felt the applicant had made a good faith effort to supply all the vantage points that were physically possible. Ms. Williams and Mr. Jardine further commented that they believed the tower would be less visible approaching the tower from point 9 in the visual impact analysis. Ms. Stevens-Rosa stated she thought it might be helpful to review the same plan with a topographic overlay. This would allow the applicant to present a simulation of what the tower would look like from the creek above the tree line.

The applicant agreed to work with Mr. Kelly to perform a visual mock up of the tower from Northeast Creek using a topographic analysis. The applicant also agreed to submit a topographic overlay.

Mr. Cochary discussed the possibility of asking the Board to recues him from the vote given that he is employed by the Park.

Ms. Williams moved not to recues Mr. Cochary from any future hearings on this project. Mr. Jardine seconded the motion and the Board voted unanimously to approve the motion.

Mr. Bragg confirmed with John Kelly that, for the record, Mr. Kelly is not opposed to the project, he has simply asked for additional information.

Mr. Fredette and Mr. Anderson stated they could not personally be present at the September 16, 2009 Completeness Review. Mr. Cochary and Mr. Bragg added that Mr. Anderson and Mr. Fredette did not need to be personally present for the Board to rule on the Completeness of the project.

Ms. Williams moved to continue the Completeness review to the September 16, 2009 meeting. Mr. Jardine seconded the motion and the Board voted unanimously to approve the motion.

VI. OTHER BUSINESS

A. Street Ordinance

Ms. Krieg stated she would present this information at the September 16, 2009 meeting.

B. Rules of Procedure

The Board and Mr. Bragg reviewed the changes made to the Rules of Procedure. Mr. Bragg noted that the size of plans should be 24x36 unless another size is deemed appropriate by Planning Staff. Ms. Krieg stated that the Board would review the final revised copy at the September 16, 2009 meeting. Once the final version was accepted by the Board, they would hold a Public Hearing to officially accept the revised Rules of Procedure.

VII. PLANNING DIRECTOR'S REPORT

Ms. Krieg reminded the Board that they would meet in a joint session with the Town Council on September 23 to discuss the Town Hill Mini Plan.

VIII. BOARD MEMBER COMMENTS AND SUGGESTIONS FOR THE NEXT AGENDA

Ms. Krieg stated that the Vicki Hall Subdivision would be heard for Completeness Review at the next meeting.

IX. ADJOURNMENT

Ms. Williams moved to adjourn the meeting. Mr. Jardine seconded the motion and the Board voted unanimously to approve the motion. The meeting was adjourned at 8:15pm.

Minutes prepared by Staff Planner Brian Madigan for Planning Board Review at their September 16, 2009 meeting

Signed as approved:

Clyde L. Jardine, Jr., Secretary
Planning Board, Town of Bar Harbor

Date